

UNITED STATES DISTRICT COURT

for the

Western District of VirginiaCLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED

JUN 16 2008

JOHN F. CORCORAN, CLERK
BY: H. McDonald
DEPUTY CLERK

United States of America)

V.)

John Christopher Simmons)

) Case No: 4:06CR00023-001) USM No: 12539-084Date of Previous Judgment: August 6, 2007)

(Use Date of Last Amended Judgment if Applicable))

) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 111 months is reduced to 101 months.

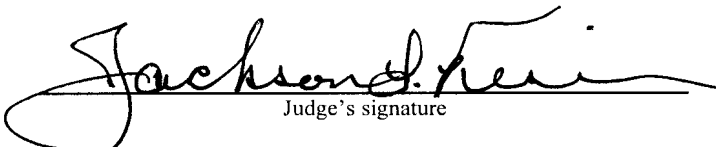
I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 23Amended Offense Level: 21Criminal History Category: IICriminal History Category: IIPrevious Guideline Range: 51 to 63 monthsAmended Guideline Range: 41 to 51 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):**III. ADDITIONAL COMMENTS**

Defendant's amended sentence is reduced to 41 months for the drug conviction. The 60 month consecutive sentence for the 924 (c) count is still in effect.

Except as provided above, all provisions of the judgment dated 8/6/2007 shall remain in effect.

IT IS SO ORDERED.Order Date: 6-16-08


Judge's signature

Effective Date: _____
(if different from order date)

Jackson L. Kiser, Senior United States District Judge
Printed name and title